



STATEMENT

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Durham Police, Durham DA's Office Joint Statement on Trey Christie Conviction

Interim Durham Police Chief Shari Montgomery and Durham District Attorney Satana Deberry issued the following joint statement regarding the conviction of Trey Christie and misconceptions about his sentence:

On August 31, Trey Christie pleaded guilty to one count of assaulting a law enforcement animal (a Class I felony) in relation to the shooting of Durham Police K9 Daro on March 30, 2021, as well as resisting, delaying, or obstructing an officer (a Class 2 misdemeanor). In addition, he pleaded guilty to unrelated charges of felony breaking and entering and larceny after breaking and entering, which are both Class H felonies, for stealing bicycles from an apartment building.

Pursuant to a plea agreement accepted by the court, Mr. Christie was sentenced to 18 months of supervised probation. A suspended sentence of six to 17 months in prison could be imposed if he violates his probation. In addition, he was ordered to pay \$500 in restitution to the owner of the bicycles he stole, participate in an intensive behavior and decision-making program called Cognitive Behavioral Intervention, and comply with the recommendations of a substance use assessment. Neither the Durham Police Department nor the emergency veterinarian that treated Daro sought restitution.

As in all criminal cases, the sentence in this matter was determined by the classification of the offenses and the defendant's prior record level.¹ In this case, the defendant, who was 21 the time of offense, has no prior criminal record. This means that an active sentence was legally impossible for the charge of assaulting a law enforcement animal.

While both prison and probation were options under the law as punishment for the felony property crimes, it is very rare² for first-time offenders to receive an active sentence on charges of this level – in Durham and across the state.

"The resolution in this case was fair and consistent with how charges of this level would be handled across the state of North Carolina," said Durham District Attorney Satana Deberry. "Related to the shooting, the State pursued the highest charge that fit the facts of the case, while ensuring sanctions were proportionate to the

¹ <https://medium.com/durham-district-attorneys-office/explained-sentencing-ce9160e0297e>

² <https://www.nccourts.gov/assets/documents/publications/SPAC-FY-2020-Structured-Sentencing-Statistical-Report-Web.pdf?v0VBfg5FkZScztkXjHWwVAXuDQCM2MFC>



defendant's age and lack of prior criminal history, his genuine remorse, and the fact that he has already spent five months in jail pretrial. Throughout the case, our prosecution team was in communication with both Daro's handler through his attorney and the responding officer to discuss what happened and how the case would be resolved."

"We also coordinated with federal authorities who are pursuing additional charges. When federal prosecutors become involved in a local case, it is common for the State to dismiss its charges," Deberry said. "In this case the Durham DA's Office decided to pursue accountability for the shooting and theft. As a result, the defendant now has a felony record that accurately reflects his actions. We appreciate the Durham Police Department's assistance in quickly resolving this case and are glad to see Daro's recovery."

"The Durham Police Department is pleased that Daro is doing well and back to work," said Interim Durham Police Chief Shari Montgomery. "Under North Carolina law, acts of animal abuse are among the lowest-level felonies that we have, and the more serious offense of assaulting a law enforcement officer is limited to human victims."

"I thank the Durham DA's Office for its communication throughout this case and the swift resolution," Montgomery said. "DPD also extends its gratitude to Triangle Veterinary Referral Hospital for providing emergency surgery for Daro at no cost, to Cpl. Lafferty for his dedicated care of Daro, and to the community for its support and well-wishes. Police K9s are not only part of our law enforcement family they are family members to the officers who work with them, live with them, and care for them 24/7. Their bond goes beyond being partners."